

LEGISLATURE OF NEBRASKA  
NINETY-SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 25**

FINAL READING

Introduced by Suttle, 10; Aguilar, 35; Smith, 48

Read first time January 4, 2001

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to podiatry; to amend section 71-173, Reissue  
2 Revised Statutes of Nebraska, and section 71-101, Revised  
3 Statutes Supplement, 2000; to redefine terms; to provide  
4 requirements for certain surgeries as prescribed; to  
5 harmonize provisions; and to repeal the original  
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-101, Revised Statutes Supplement,  
2   2000, is amended to read:

3           71-101. Sections 71-101 to 71-1,107.30, 71-1,133 to  
4   71-1,338, 71-1,343, 71-1301 to 71-1354, and 71-2801 to 71-2822 and  
5   section 3 of this act shall be known and may be cited as the  
6   Uniform Licensing Law.

7           For purposes of the Uniform Licensing Law, unless the  
8   context otherwise requires:

9           (1) Board or professional board means one of the boards  
10   appointed by the State Board of Health;

11          (2) Licensed, when applied to any licensee in any of the  
12   professions named in section 71-102, means a person licensed under  
13   the Uniform Licensing Law;

14          (3) Profession or health profession means any of the  
15   several groups named in section 71-102;

16          (4) Department means the Department of Health and Human  
17   Services Regulation and Licensure;

18          (5) Whenever a particular gender is used, it is construed  
19   to include both the masculine and the feminine, and the singular  
20   number includes the plural when consistent with the intent of the  
21   Uniform Licensing Law;

22          (6) License, licensing, or licensure means permission to  
23   engage in a health profession which would otherwise be unlawful in  
24   this state in the absence of such permission and which is granted  
25   to individuals who meet prerequisite qualifications and allows them  
26   to perform prescribed health professional tasks and use a  
27   particular title;

28          (7) Certificate, certify, or certification, with respect

1 to professions, means a voluntary process by which a statutory,  
2 regulatory entity grants recognition to an individual who has met  
3 certain prerequisite qualifications specified by such regulatory  
4 entity and who may assume or use the word certified in the title or  
5 designation to perform prescribed health professional tasks. When  
6 appropriate, certificate means a document issued by the department  
7 which designates particular credentials for an individual;

8 (8) Lapse means the termination of the right or privilege  
9 to represent oneself as a licensed, certified, or registered person  
10 and to practice the profession when a license, certificate, or  
11 registration is required to do so; and

12 (9) Credentialing means the totality of the process  
13 associated with obtaining state approval to provide health care  
14 services or human services or changing aspects of a current  
15 approval. Credentialing grants permission to use a protected title  
16 that signifies that a person is qualified to provide the services  
17 of a certain profession. Credential includes a license,  
18 certificate, or registration.

19 Sec. 2. Section 71-173, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 71-173. For ~~the purpose~~ purposes of the Uniform  
22 Licensing Law:

23 (1) The following persons shall be deemed to be  
24 practicing podiatry: Persons who publicly profess to be podiatrists  
25 or who publicly profess to assume the duties incident to the  
26 practice of podiatry;

27 (2) Practice of podiatry ~~is defined to be~~ means the  
28 diagnosis or medical, physical, or surgical treatment of the

1 ailments of the human foot, ankle, and related governing structures  
2 except (a) the amputation of the forefoot, (b) the general medical  
3 treatment of any systemic disease causing manifestations in the  
4 foot, and (c) the administration of anesthetics other than local;  
5 and

6 (3) Podiatrist ~~shall mean~~ means a physician of the foot,  
7 ankle, and related governing structures.

8 Sec. 3. A podiatrist shall not perform surgery on the  
9 ankle other than in a licensed hospital or ambulatory surgical  
10 center, and a podiatrist who performs surgery on the ankle in a  
11 licensed hospital or ambulatory surgical center shall have  
12 successfully completed an advanced postdoctoral surgical residency  
13 program of at least one year's duration which is recognized as  
14 suitable for that purpose by the Board of Podiatry.

15 No podiatrist initially licensed in this state on or  
16 after September 1, 2001, shall perform surgery on the ankle unless  
17 such person has successfully completed an advanced postdoctoral  
18 surgical residency program of at least two years' duration which is  
19 recognized as suitable for that purpose by the Board of Podiatry.

20 Sec. 4. Original section 71-173, Reissue Revised  
21 Statutes of Nebraska, and section 71-101, Revised Statutes  
22 Supplement, 2000, are repealed.